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I must make a de novo determination of those portions of the report to which Collins objects. *See* 28 U.S.C.A. § 636(b)(1)(C) (West 1993); Fed. R. Civ. P. 72(b). Under the Act, I must uphold the factual findings and final decision of the Commissioner if they are supported by substantial evidence and were reached through application of the correct legal standard. *See Coffman v. Bowen*, 829 F.2d 514, 517 (4th Cir. 1987).

The plaintiff's principal objection to the magistrate judge's report concerns the opinion of David A. Downs, Jr., M.D., a psychiatrist at Carillon St. Albans Hospital, located in Radford, Virginia. Dr. Downs was one of Collins' treating physicians and the record contains several of his reports. In her objections, the plaintiff asserts as follows:

The ALJ erred in failing to accord proper weight to the opinion of Plaintiff's treating psychiatrist, Dr. Downs. In fact, the ALJ completely ignored Dr. Downs' opinions, a fact not addressed by the Magistrate Judge.

. . . .

As previously noted, the ALJ failed to even mention Dr. Downs' opinions in her decisions, much less explain her apparent rejection of them. The Magistrate Judge has failed to address this issue.

(Pl.'s Objections 1, 3 (emphasis added).)

These assertions are simply false. In fact, the administrative law judge discussed at length the plaintiff's treatment by Dr. Downs and recited his opinions concerning the plaintiff's psychiatric condition. (R. at 19-21, 23.) While Dr. Downs found the plaintiff to be suffering from a severe bipolar disorder, he did not express an opinion in terms of her work-related abilities, and the ALJ found that even accepting his diagnosis, the entire record showed that the plaintiff was not disabled by her mental impairment. (R. at 23.)

The magistrate judge fully discussed the evidence of record and accurately analyzed the basis for the Commissioner's findings. After my de novo review, I conclude that the plaintiff's objections, including that discussed above, are without merit.

An appropriate final judgment will be entered.

DATED: June 18, 2008

/s/ JAMES P. JONES
Chief United States District Judge